

HOUSE BILL 233
By Campfield

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 14, relative to online theft and online
stolen property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 1, is amended by
adding the following as a new section thereto:

39-14-153.

(a) A person who uses or accesses the Internet with the intent of selling
property gained through unlawful means commits the offense of online sale of
stolen property. The offense of online sale of property occurs in any locality
where any part of the offense took place, regardless of whether or not the
defendant was ever physically in that locality.

(b) A person who uses the Internet to purchase or attempt to purchase
property from a seller with a method of payment that such person knows or has
reason to know is fictitious, stolen or lacking the consent of the valid account
holder commits the offense of online theft by deception. The offense of online
theft by deception occurs in the state where the property was ordered or received
using the method of payment that is fictitious, stolen or lacking the consent of the
valid account holder.

(c) A violation of subsection (a) or subsection (b) shall be punished as
theft and graded in accordance with § 39-14-105.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.